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Date: April 13, 2006

To: Smith, Sheila B.- Art Unit 2681

Location: United States Patent and Trademark Office

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From: Jeffrey K. Jacobs

REG. NO. 44,798

Serial No.:

Docket No.:

Subject: 10/647,424

CE10278R

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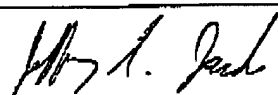
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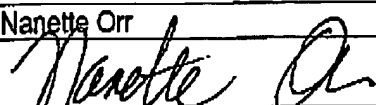
Enclosed herewith, please find NOTICE OF APPEAL for filing in the below-identified application.

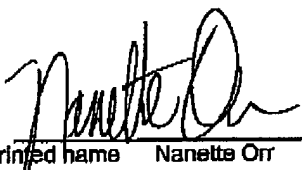
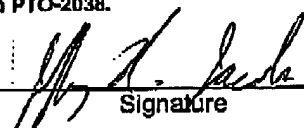
EXAMINER:	Smith, Sheila B.
ART UNIT:	2681
APPLICATION SERIAL NO.:	10/647,424
FILE DATE:	August 25, 2003
INVENTOR:	John M. Harris

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/647,424	RECEIVED CENTRAL FAX CENTER APR 13 2006
	Filing Date	August 25, 2003	
	First Named Inventor	John M. Harris	
	Group Art Unit	2681	
	Examiner Name	Smith, Sheila B.	
Total Number of Pages in this Submission	Attorney Docket Number	CE10278R	

ENCLOSURES		(check all that apply)
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE <input type="checkbox"/> Copy of Notice to File Missing Parts
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Jeffrey K. Jacobs	Registration No.	44,798
Signature			
Date	April 13, 2006		

CERTIFICATE OF TRANSMITTAL/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to facsimile number <u>571-273-8300</u> or deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date listed below:			
Typed or printed name	Nanette Orr		
Signature			Date April 13, 2006

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number CE10278R												
I hereby certify that this correspondence is being facsimile transmitted or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450" on: April 13, 2006 Signature  Typed or printed name <u>Nanette Orr</u>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">In re Application of John M. Harris</td> </tr> <tr> <td>Application Number</td> <td>10/647,424</td> </tr> <tr> <td>Filed</td> <td>August 25, 2003</td> </tr> <tr> <td>For</td> <td>SYSTEM AND METHOD FOR CONTROLLING THE OPERATING CHARACTERISTICS OF A BUFFER</td> </tr> <tr> <td>Art Group</td> <td>2681</td> </tr> <tr> <td>Examiner</td> <td>Smith, Sheila B.</td> </tr> </table>		In re Application of John M. Harris		Application Number	10/647,424	Filed	August 25, 2003	For	SYSTEM AND METHOD FOR CONTROLLING THE OPERATING CHARACTERISTICS OF A BUFFER	Art Group	2681	Examiner	Smith, Sheila B.
In re Application of John M. Harris														
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Art Group	2681													
Examiner	Smith, Sheila B.													
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>500.00</u> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ <input type="checkbox"/> A check in the amount of the fee is enclosed. 04/14/2006 EYALEW1 00000025 502117 10647424 <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. 01 FC:1401 500.00 DA <input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a Fee Transmittal in duplicate. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any over payment to Deposit Account Number 502117. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.														
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,798</u> <input type="checkbox"/> Attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a). _____														
 Signature <u>Jeffrey K. Jacobs</u> Typed or printed name <u>847-576-552</u> Telephone number <u>April 13, 2006</u> Date														
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.														
<input checked="" type="checkbox"/> * Total of <u>1</u> forms are submitted.														

This collection of information is required by 37 CFR 1.81. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.